

affecting the promotion avenues for the Scheduled Castes and Scheduled Tribes. And, a new roster has been silently introduced. I would request the hon. Minister to review the matter and negate this detrimental O.M. Now, the O.M. dated 13<sup>th</sup> August, 1997, restricting promotion in relation to Group 'A' is contrary to the spirit of the 77<sup>th</sup> Constitution Amendment. I request the hon. Minister to review it and negate this O.M.

Now, to sum up, I am in agreement with the learned Member, Shri Kapil Sibal. The statistics given by the hon. Member before this House indicates that reservation is the minimum guarantee; but even this has not been fulfilled yet. These statistics reveal that even after 55 years of independence, we have not achieved the goal which was in the mind of the founding father of our Constitution, the chief architect of our Constitution, Dr. Ambedkar. Cutting across party lines, we should see to it that there is a time-bound programme for the uplift of the Scheduled Castes and Scheduled Tribes and for bringing them into the mainstream. This kind of a piecemeal legislation will not serve the purpose. So, I request the hon. Minister to come forward with a comprehensive Central legislation, incorporating therein the suggestions relating to reservation and promotion, put forth by Shri Kapil Sibal; and such a Central legislation should be included in the Ninth Schedule of the Constitution. Thank you, Madam.

THE DEPUTY CHAIRMAN: I hope, with the same spirit, you would support the Women's Reservation Bill, which includes the Backward, the Most Backward as well as the Scheduled Castes and Scheduled Tribes.

Before I ask the Minister to reply, there is a small thing to be done so that the Minister, who is a Lok Sabha Member, is free to go back, and Shrimati Jayaprada Nahata gets her rightful place to vote. Yes; Mr. Minister.

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#### THE BUDGET (MANIPUR) 2001-2002

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE  
(SHRI BALASAHEB VIKHE PATIL): Madam, I lay on the Table a statement

(in English and Hindi) of the estimated receipts and expenditure of the Government of Manipur for the year 2001-2002 (Annual Financial Statement).

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**THE CONSTITUTION (NINETY-SECOND AMENDMENT) BILL, 2001 -**  
*Contd.*

SHRIMATI VASUNDHARA RAJE: Madam Deputy Chairman, I would like to thank all the hon. Members who have participated in this debate, and reiterate, at the same time, the Government's sincerity and commitment to the cause of the welfare and uplift of the Scheduled Castes and Scheduled Tribes. We have, over the last two years, discussed this issue threadbare. And, very recently, this was discussed again in the Lok Sabha. In the course of the discussion on the Bill that was brought by Shri Pravin Rashtia Pal in the Lok Sabha, the hon. Prime Minister made a promise there, on 18<sup>th</sup> March, 1999, that the Government would review the O.M.s issued by the Department of Personnel and Training. And, in line with this thinking, two Constitution amendments had been brought, and we intend to issue orders very quickly so as to start the special recruitment drive. Today, we are bringing in the third Constitution Amendment through the 92<sup>nd</sup> Constitution (Amendment) Bill. This has been passed by the Lok Sabha and, now, we have brought before this House. This deals with the O.M. dated 30<sup>th</sup> January, 1997, and this is the O.M. which caused considerable anxiety to the hon. Members.

This OM lays down a catch-up principle which allows general candidates to regain seniority over reserved candidates who have been given these accelerated promotions. It was issued in pursuance of the judgment of the Supreme Court in Ajit Singh(1) and Virpal Singh Chauhan's case. The Government sought legal opinion and consulted a wide cross-section of Members. Despite the fact that the catch-up principle has been reiterated by the Supreme Court in the Ajit Singh(2) case, the Government has decided to amend the Constitution to allow members of the Scheduled Castes and the Scheduled Tribes to retain their seniority on accelerated promotions. The Members would agree that this would translate into reality the Government's resolve to mitigate the hardships that have been caused to members of the weakest classes by the issuance of the OM in 1997.